

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA,)
)
Plaintiff,)
)
v.)
)
TYSON FOODS, INC., et al.,)
)
Defendants.)

Case No. 05-CV-329-GKF-SAJ

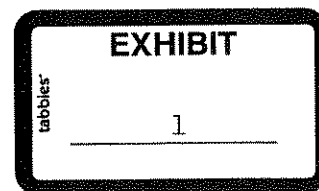
STATE OF OKLAHOMA'S OCTOBER 3, 2007 SET OF
INTERROGATORY AND REQUESTS FOR PRODUCTION TO CARGILL,
INC. AND CARGILL TURKEY PRODUCTION, LLC

Pursuant to Fed. R. Civ. P. 26, 33, and 34, plaintiff State of Oklahoma, ex rel. W.A. Drew Edmondson, in his capacity as Attorney General of the State of Oklahoma, and Oklahoma Secretary of the Environment, C. Miles Tolbert, in his capacity as the Trustee for Natural Resources for the State of Oklahoma under CERCLA ("the State"), requests that Cargill, Inc. and Cargill Turkey Production, LLC each respond to the following interrogatory and requests for production within 30 days of service.

Definitions and Instructions

For purposes of this discovery, the following terms are intended to have the following meanings:

1. "You" means the responding defendant, including any predecessors in interest, its present and former officers, executives, directors, agents, servants, employees, attorneys, consultants, experts, investigators and other persons or firms acting or purporting to act on its behalf.



2. "Waste" means poultry excrement, poultry carcasses, feed wastes and/or any other waste associated with the confinement of poultry from a poultry feeding or growing operation.

3. "Run-off" means any release by leaking, escaping, seeping, or leaching of poultry waste from land on which waste has been land applied.

4. "Chicken" means broilers.

5. "Document" means documents and electronically stored information. All electronically stored information shall be produced in native format.

6. The connectives "and" and "or" are to be construed either disjunctively or conjunctively as necessary to bring within the scope of this discovery all responses that might otherwise be construed to be outside of their scope.

7. The term "any" includes "all" and "each"; the term "all" includes "any" and "each"; and the term "each" includes "any" and "all."

8. References to the singular are to be construed to include the plural and vice versa.

9. If there is any responsive information which you decline to provide on the ground of a claim of attorney client privilege or attorney work product, make the claim expressly and describe the nature of the documents, communications, or things not produced or disclosed in a manner that will enable the State to assess the applicability of the claimed privilege or protection.

Interrogatory

Interrogatory No. 1: Please describe with particularity all differences you contend exist between the characteristics of, handling of and effects of waste from chickens and the characteristics of, handling of and effects of waste from turkeys, including but not limited to all differences you contend exist (a) between what chemicals / chemical compounds are contained in waste from chickens and what chemicals / chemical compounds are contained in

waste from turkeys, (b) between what bacteria are contained in waste from chickens and what bacteria are contained in waste from turkeys, (c) between the manner in which waste from chickens has been applied to land within the Illinois River Watershed and the manner in which waste from turkeys has been applied to land within the Illinois River Watershed, (d) between the manner in which waste from chickens that has been applied to land within the Illinois River Watershed behaves in the environment (*e.g.*, its propensity to run-off, whether it in fact runs off, whether it in fact has run off) and the manner in which waste from turkeys that has been applied to land within the Illinois River Watershed behaves in the environment (*e.g.*, its propensity to run-off, whether it in fact runs off, whether it in fact has run off), (e) between the types of human health dangers / harms that run-off of waste from chickens can cause and the types of human health dangers / harms that run-off of waste from turkeys can cause, (f) between the types of human health dangers / harms that run-off of waste from chickens has caused in the Illinois River Watershed and the types of human health dangers / harms that run-off of waste from turkeys has caused in the Illinois River Watershed, (g) between the types of environmental harms that run-off of waste from chickens can cause and the types of environmental harms that run-off of waste from turkeys can cause, and (h) between the types of environmental harms that run-off of waste from chickens has caused in the Illinois River Watershed and the types of environmental harms that run-off of waste from turkeys has caused in the Illinois River Watershed. For each of the foregoing, please state the factual basis of your contention; if you do not contend that any differences exist, please expressly so state.

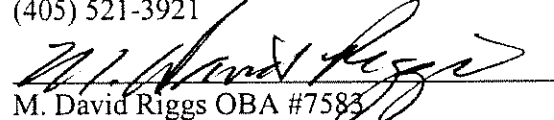
Requests for Production

Request for Production No. 1: Please produce copies of all documents referring or relating to differences you contend exist between waste from chickens and waste from turkeys.

Request for Production No. 2: Please produce copies of all documents you relied upon in responding to interrogatory no. 1.

Respectfully Submitted,

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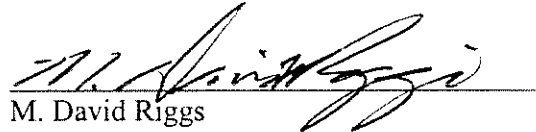
CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of October, 2007, I mailed the above and foregoing document to the following by U.S. Mail with postage thereon fully prepaid and served the same electronically:

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